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June 28, 2005

Honorable Leonard D. Wexler
United States District Court
Eastern District of New York
Long Island Federal Courthouse
944 Federal Plaza
Central Islip, NY 11722

Re: Novick et al. v. Bankers Life Ins. Co. of New York et al.
Docket No. 05 CV 3085

Dear Judge Wexler:

This letter is intended as a request for an extension to answer or otherwise plead on behalf of all of the defendants in the above-captioned action. On April 21, 2005, this action was filed in the Supreme Court of the State of New York, County of Nassau ("Nassau Action"). The earliest service of the Summons and Complaint on any defendant in the Nassau Action was June 9, 2005. A Notice of Removal was filed with this Court yesterday, June 27, 2005, plaintiff was served by overnight federal express, and a Notice of Notice of Removal was filed in the Nassau Action today. As it currently stands, defendants are required to answer or otherwise plead by tomorrow, June 29, 2005. No previous extensions have been requested in this action.

Counsel for all respective defendants have attempted to contact plaintiff's counsel in an effort to agree to an extension to answer or otherwise plead but have been met with no response at all. In fact, Peter Ausili, from Your Honor's chambers, attempted to contact plaintiff's counsel today and, to the defendants' knowledge, was unable to do so. Since defendants have received no answer from plaintiff's counsel regarding an extension agreement, defendants request that an extension for the time to answer or otherwise plead be granted for forty five (45) days. This extension will not affect any other scheduled dates in this action as there are no other scheduled dates at this time.

Respectfully submitted,

William O. Purcell

William O. Purcell

Counsel for Defendant Bankers Life Ins.

* REQUEST GRANTED
SO ORDERED

USDC

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MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY
OF THIS ORDER ON ALL PARTIES UPON RECEIPT.



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cc: Jonathan A. Stein, P.C. (*Counsel for Plaintiffs*)(via overnight federal express)
Jay Korn (*Counsel for Eisner defendants*) (via facsimile)
Dianna McCarthy (*Counsel for Kirsh defendants*) (via facsimile)